

REMARKS

Claims 1-20 were pending. By this RCE Amendment, paragraph 0014 of the specification is amended, claims 1, 6, 7, 9-12, 14, and 20 are amended, claims 5, 15 and 16 are canceled, and new claims 21-23 are added. Reconsideration and allowance of pending claims 1-4, 6-14, and 17-22 in view of the following remarks are respectfully solicited.

The specification was objected to because two instances of the reference number "22" in paragraph 0014 should have been "24." As suggested by the Examiner, Applicant has amended paragraph 0014 to correct this typographical error.

Claims 1-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Jahnel. Applicant traverses these rejections for the following reasons.

Amended claims 1 and 14 recite a combination of recitations including, among others, that "the first and second magnetic structures are disposed radially outwardly from the piston and cylinder, respectively." In Jahnel, magnets 12, 12', 13, 13' are disposed radially outwardly from rods 6, 10, but the magnets 12, 12', 13, 13' are not disposed radially outwardly from a piston and cylinder, respectively, as recited in claims 1 and 14. Nor does Jahnel suggest such positioning of the magnets relative to a piston and cylinder. Applicant therefore requests withdrawal of the anticipation rejection of amended claims 1 and 14, as well as their dependent claims 2-4, 6-13, and 17-20, which are allowable at least because they depend from allowable claims 1 or 14.

Claims 2 and 17 recite a combination of recitations including, among others, that the system comprises "an outer structure adapted to receive and contain said damping device and said first and second magnetic structures." Jahnel does not disclose or suggest "an outer structure adapted to receive and contain said damping device and said first and second magnetic structures," as recited in claims 2 and 17. Applicant therefore requests the withdrawal of the anticipation rejection of claims 2 and 17, as well as their respective dependent claims 3-8 and 18-20, which are allowable at least because they depend from allowable claims 2 or 17.

Amended claims 6 and 20 recite a combination of recitations including, among others, "a cavity having cavity walls defined by said first and second magnetic structures, an outer surface of the damping device, and said outer structure." Jahnel fails to disclose or suggest such a combination of recitations.

Amended claim 9 recites a combination of recitations including, among others, “a twin-tube shock absorber.” Jahnel fails to disclose or suggest such a combination of recitations.

New claims 21-23 further distinguish aspects of one or more embodiments of the present invention from the cited prior art.

Having addressed all of the Examiner’s rejections, Applicant submits that the present application is in condition for allowance, a notice of which is earnestly solicited.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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